

Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204
Baltimore County, Maryland

In the Matter of

Civil Citation No. 56389

William J Grauling Jr.
Sharon L. Grauling

7310 Conley Street

Respondents

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on April 1, 2009, for a hearing on a citation for violations under the Baltimore County Code (BCC) section 13-4-201, 202; 13-7-309, 310, failure to store waste in tightly covered, rodent resistant weather tight containers of approved construction, (BCC) section 13-7-112, 113, 115, 116 maintaining a “public health nuisance” on residential property zoned DR 10.5 known as 7310 Conley Street, 21224.

On March 10, 2009, pursuant to §3-6-205, Baltimore County Code, Code Enforcement Officer, issued a code enforcement citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$1,000.00 (one thousand dollars).

The following persons appeared for the Hearing and testified: the Respondent, William Grauling and Robert Moorefield, Baltimore County Code Enforcement Officer.

After proper consideration of all the evidence and testimony presented, the Hearing Officer finds:

A. A Correction Notice was issued on February 24, 2009 for failure to use proper garbage containers with tight-fitting lids to store trash and garbage. This Citation was issued on March 10, 2009. Photographs in the file show cans without lids, filled with bagged garbage, and a bag on the ground.

B. Re-inspection on March 31, 2009 found cans with new lids and no visible garbage. Inspector Moorefield testified that one can has a hole in the bottom. Respondent Grauling testified that the defective can will be replaced. Testimony and evidence indicates that the violations have been corrected. Because compliance is the goal of code enforcement, the civil penalty will be rescinded.

IT IS ORDERED by the Code Enforcement Hearing Officer that the proposed civil penalty is RESCINDED.

ORDERED this 8th day of April 2009.

Signed: ORIGINAL SIGNED
Margaret Z. Ferguson
Baltimore County Hearing Officer

NOTICE TO VIOLATOR: The violator is advised that (1) pursuant to §3-6-206(g)(2) of the Baltimore County Code, the Violator may make written application to the Director of the Department of Permits & Development Management within 10 days to modify or amend this order and (2) pursuant to §3-6-301(a), Baltimore County Code, the Violator may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order. Any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security to satisfy the penalty assessed.